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from Spain, discussing the immediate problems which have arisen, and are every day arising, concerning the government of the islands, and considering finally the question of their ultimate disposition. With regard to the great problem as to whether the Constitution extends to our new possessions, Mr. Randolph maintains the stand taken by him in previous articles, that the Constitution applies to the Philippine Islands and to Porto Rico with the same force that it exerts over the original states, and must continue to apply unless another amendment is added to it. He analyzes carefully and attempts to meet the arguments of those who think that in dealing with these territories we are not bound by constitutional limitations, but his discussion, though persuasive, is not convincing to the legal mind. Considering the importance of the subject, and the fact that the rest of the work is largely based on the assumption that he has proved his proposition, it is to be regretted that the author did not see fit to treat this matter more thoroughly and at greater length. His discussion here states his opinions rather more briefly than in his earlier article on the Constitutional Aspects of Annexation, in 12 *HARVARD LAW REVIEW*, 291.

Assuming, then, that the Constitution does extend to the Philippines, the author goes on to examine the results that would follow from applying it, and attempts to prove that they would be by no means so disastrous as is often imagined. An interesting chapter deals with the methods by which we must govern the islands. Mr. Randolph attacks the usurpation of legislative power by the President, and contends that Congress alone has had such power since the termination of the war with Spain. He expounds the limits within which Congress must act, and the extent to which the old law of the islands should be allowed to continue. Having discussed these more immediate problems, the treatise deals with the legality and feasibility of alienating the Philippines. The author contends that we have the constitutional power to withdraw our sovereignty from the islands, insists that this is a desirable result for reasons commercial, moral, and political, and considers the most feasible plan to be the establishment of an American protectorate. The nature of such a protectorate he discusses, and illustrates in an appendix by an interesting collection of documents relating to various protectorates established by Germany, France, and England. In another appendix a valuable collection of documents relating to the Spanish war appears, and the book also contains a reprint from the *Yale Law Journal* of an article on the status of Cuba.

On the whole, this book is of distinct value, especially from a popular standpoint, giving a clear and not too technical review of the important topics with which it deals. It cannot fail to interest and instruct, even though the reader may not agree with all of its views. L. P. M.

We have also received :—

THE LAW OF TORTS. By Melville M. Bigelow. Seventh edition. Boston : Little, Brown & Co. 1901. pp. xxxi, 438. The previous editions of Professor Bigelow's book have been so widely known and appreciated that it is sufficient for us to notice the changes made in the present volume. While the body of the book remains substan-

tially the same, several additions have been made. The most interesting and suggestive is an amplification of the chapter on "Malicious Interference with Contract," in the light of recent decisions. The subject is now treated in two chapters, the first entitled "Maliciously Procuring Refusal to Contract," the second, "Procuring Breach of Contract." The author accepts, though with some hesitation, the rule that no action lies for procuring a refusal to contract, when wrongful means are not employed, although the act is inspired solely by a desire to injure. Nor does he think that the fact of combination should make any difference unless resort be had to unlawful means. Where an actual breach of contract is procured, however, Professor Bigelow considers that liability should result, if not properly from the violation of the contract right, which he believes is hardly distinguishable in this regard from any other right, at least on grounds of public policy. As the present is one of the first text-books on the law of torts published since the decision in *Allen v. Flood*, [1898] App. Cas. 1, the discussion which that case provokes is especially interesting. There have likewise been added two chapters to the section on negligence, one on "Independent Contractors" and kindred subjects, and one on "Completion of Work." By these additions the book has been brought fairly to cover the entire subject of torts, as was originally planned, a consummation that previous editions have been gradually approaching. While the work is short and therefore for many purposes necessarily inadequate, its lucid style and concise definitions make it exceedingly valuable for the student.

THE LEGAL PROPERTY RELATIONS OF MARRIED PARTIES. By Isidor Loeb. New York: The Columbia University Press. 1900. pp. 197. This book is, as its sub-title announces, a study in comparative legislation, belonging to the department of political science rather than to that of law, as usually understood. It deals chiefly with the various matrimonial property systems in force in the United States and the principal countries of Europe. The author describes the leading features of each system, indicates the advantages and disadvantages of community property in its various forms, separate property, marital administration and usufruct, and the dowry system; and discusses the comparative importance and the influence upon legislation in different countries, of such conflicting considerations as the maintenance of equality and independence in the marriage relation, the preservation of the unity of the family, and the protection of the interests of third persons. In general, however, the treatment is instructive rather than argumentative, furnishing an extensive enumeration of the provisions of various codes and the causes which led to their adoption. The effects of marriage upon legal capacity, and the subject of the succession of married parties, are treated in a similar manner. The work appears to have been done thoroughly, accurately, and with great industry. There is no attempt to describe the law of any one country in exhaustive detail, and it is to the student of sociology and political science that the book mainly appeals. Yet it is also not without interest for the lawyer who prizes the breadth of thought to be derived from familiarity with systems of law other than his own.

NEWFOUNDLAND IN 1900. A Treatise of the Geography, Natural Resources, and History of the Island, Embracing an Account of Recent